FARAD CONTINUATION SHEET NO.:

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE SIDE
CIVIL APPLICATION NO.1804 OF 2006
IN
SECOND APPEAL NO.212 OF 2005

Office Notes, Office Memoranda of coram, appearances, Court's orders or directions and Registrar's orders.	Court's or Judge's orders.

Ms Surekha Jangam, for the applicant.
Party in person present -respondent.

CORAM : D.B.BHOSALE,J.
DATED : 18th SEPT., 2007

P.C.:

Heard learned counsel for the applicant.

By this civil application, the applicant has made the following prayers:

(a) Notice for breach of order which amounts to contempt of this Hon'ble High Court may be issued against the opponent/respondent Shri Somnath T Galande, surety Shri Achyut Thombare and the concerned presiding officer Shri Mate C .J. Sr.Div, Pune as to why surety has been accepted instead of security in terms of money as directed by this Hon'ble High Court.

(b) That the order dated 30.9.2006 may be quashed and set aside.

(c) That the Opponent decree holder Shri

Somnath T Galande may be directed to deposit again entire decreetal amount of Rs.1,56,341/- whatever amount he has withdrawn from lower court.

(d) That proper and strict legal action for contempt of court may be taken against Shri Somnath T Galande the surety Shri Achyut Thombare and the concerned presiding officer Shri Mate."

All the prayers made in the application are devoid of any merits and deserve to be rejected outright. It appears that this court, on 16.3.2005 while admitting the appeal, had directed the appellant to deposit the decretal amount and the respondent was allowed to withdraw the said amount on furnishing security to the satisfaction of the court. It is clear that the court below allowed the respondent to withdraw the amount after having satisfied about the security furnished by the respondent. In the circumstances, this civil application is rejected.

(D.B.BHOSALE,J.)